

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

Investigation on the Commission's own motion into the operations, practices, and conduct of Pacific Bell Wireless LLC dba Cingular Wireless, U-3060, U-4135 and U-4314, and related entities (collectively "Cingular") to determine whether Cingular has violated the laws, rules and regulations of this State in its sale of cellular telephone equipment and service and its collection of an Early Termination Fee and other penalties from consumers.

Investigation 02-06-003  
(Filed June 6, 2002)

**ADMINISTRATIVE LAW JUDGE'S RULING  
DENYING MOTION TO PREVENT PUBLIC DISCLOSURE  
OF REMEDIES DISCUSSION IN BRIEFS**

On May 22, 2003, Cingular Wireless (Cingular) filed a motion entitled "Emergency Motion to Prevent Disclosure of Prejudicial Material" (motion), which asks the Commission to seal the discussion of remedies in the briefs of the Commission's Consumer Protection and Safety Division (CPSD) and the Utility Consumers' Action Network (UCAN).<sup>1</sup> Cingular argues that, if publicly disclosed, the specific remedies sought by CPSD and UCAN are likely to be mischaracterized in the press, to Cingular's harm. Cingular cites no authority for its extraordinary request, which if granted, would require the Commission to

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<sup>1</sup> The briefs were filed on May 19, 2003, as confidential attachments to motions seeking leave to file them under seal. Public versions of the briefs are to be filed on May 23.

seal—not confidential or proprietary information that legally may be protected under General Order 66-C—but two other parties’ litigation proposals. The motion is denied.<sup>2</sup>

**IT IS RULED** that “Emergency Motion to Prevent Disclosure of Prejudicial Material” filed May 22, 2003, by Cingular Wireless is denied.

Dated May 28, 2003, at San Francisco, California.

/s/ JEAN VIETH  
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Jean Vieth  
Administrative Law Judge

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<sup>2</sup> By e-mail to the parties on May 22, I advised that I was denying the motion and would memorialize the denial by written ruling.

**CERTIFICATE OF SERVICE**

I certify that I have by mail, and by electronic mail to the parties to which an electronic mail address has been provided, this day served a true copy of the original attached Administrative Law Judge's Ruling Denying Motion to Prevent Public Disclosure Of Remedies Discussion in Briefs on all parties of record in this proceeding or their attorneys of record.

Dated May 28, 2003, at San Francisco, California.

/s/ KE HUANG

Ke Huang

**N O T I C E**

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to ensure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.